

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF WISCONSIN

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In Re:  
THEODORE J POLCZYNSKI  
DIANE K POLCZYNSKI

Chapter 13

Debtors

Case No. 2018-31561-GMH-13

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**MOTION AND NOTICE OF MOTION TO DISMISS - UNCONFIRMED PLAN**

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NOTICE IS HEREBY GIVEN that the Chapter 13 Standing Trustee, Rebecca R. Garcia pursuant to 11 U.S.C. 1307(c), does hereby move the Court for an Order dismissing this case for cause, including;

Material delay detrimental to creditors, specifically for the reason that the debtors:

The Debtors are, pursuant to 11 U.S.C. § 109(e), ineligible to be Debtors under Chapter 13 of Title 11 as the Debtors have secured debts that exceed \$1,184,200.00.

Unless an objection (or fee application for a greater amount) is filed on or before the deadline for objecting to this motion to dismiss, the Trustee will pay up to \$1,000 of funds on hand (less the pre-petition fees paid directly to the attorney as disclosed on Form B2030) to the Debtor's attorney as an administrative claim before refunding any funds to the Debtor.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, should you have one in this case. (If you do not have an attorney, you may wish to consult one).

**ANY OBJECTION TO THE RELIEF REQUESTED BY THIS MOTION SHOULD BE IN WRITING SPECIFYING LEGALLY SUFFICIENT GROUNDS WHY THE MOTION SHOULD NOT BE GRANTED AND SHOULD BE FILED WITH THE CLERK OF THE U.S. BANKRUPTCY COURT, ROOM 126, U.S. COURTHOUSE, 517 EAST WISCONSIN AVENUE, MILWAUKEE, WISCONSIN 53202 WITHIN 21 DAYS OF THE DATE OF THE MAILING OF THIS NOTICE. SHOULD AN OBJECTION NOT BE IN COMPLIANCE WITH THESE REQUIREMENTS THE COURT MAY GRANT THE MOTION WITHOUT A HEARING. IF YOU OR YOUR ATTORNEY DO NOT TAKE THESE STEPS, THE COURT MAY DECIDE THAT YOU DO NOT OPPOSE THE RELIEF SOUGHT IN THE MOTION AND MAY ENTER AN ORDER GRANTING THAT RELIEF.**

/s/ Rebecca A. Quiroz  
Staff Attorney

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**Chapter 13 Standing Trustee**  
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